

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 SSO-00 NSCE-00 INRE-00 DOE-15
ACDA-12 CIAE-00 DODE-00 PM-05 INR-10 NSAE-00
NASA-01 SOE-02 SS-15 OES-07 EB-08 NRC-05 SP-02
CEQ-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 OIC-02
/154 W

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FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 7670
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 04596

E.O. 11652:GDS
TAGS: TSPA, UN, UR
SUBJ: OUTER SPACE LEGAL SUBCOMMITTEE - NUCLEAR POWER
SOURCES

1. PARA 2 CONTAINS PAPER WHICH CANADA, SWEDEN AND JAPAN
HAVE DEVELOPED AND INTEND TO TABLE. THE PAPER APPEARS TO
BE CONSISTENT WITH FRAMEWORK ALREADY SET FORTH BY US DELS
TO THE S&T AND LEGAL SUBCOMMITTEES. AT THIS STAGE, WE
INTEND TO INDICATE TO THE THREE COUNTRIES GENERAL SUPPORT
FOR THE PAPER, BUT MADE CLEAR THAT WASHINGTON VIEWS NEEDED
TO BE SOUGHT. WOULD APPRECIATE DEPT COMMENTS ON TEXT BY
COB TUESDAY, WASHINGTON TIME, IF POSSIBLE. NOTE THAT PARA
3 OF PAPER WOULD CALL FOR WORK TO BEGIN IN THE LSC BEFORE
THE S&T COMPLETED ANY ANALYSIS.

2. QUOTE. USE OF NUCLEAR POWER SOURCES IN OUTER SPACE

WORKING PAPER BY:

RECOMMENDATION: THAT THE LEGAL SUB-COMMITTEE SHOULD, IN
CLOSE COOPERATION WITH THE SCIENTIFIC AND TECHNICAL SUB-
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COMMITTEE, REVIEW EXISTING INTERNATIONAL INSTRUMENTS
ADOPTED BY THE OUTER SPACE COMMITTEE AS WELL AS OTHER
RELEVANT INSTRUMENTS, WITH THE OBJECTIVE OF FORMULATING
ADDITIONAL LEGAL MEASURES, INCLUDING POSSIBLY A FURTHER
CONVENTION OR LEGAL INSTRUMENT, TO ENSURE THE HIGHEST
DEGREE OF SAFETY AND THE PROTECTION OF THE ENVIRONMENT OF
THE EARTH AND OF OUTER SPACE FROM HARMFUL CONTAMINATION.

1. THE SPECIAL HAZARDS TO HUMAN LIFE AND TO THE ENVIRONMENT POSED BY THE USE OF NUCLEAR POWER IN OUTER SPACE UNDERLINE THE NEED FOR BROAD INTERNATIONAL COOPERATION IN DEVELOPING SPECIAL PRECAUTIONS FOR SUCH USE. THE LEGAL SUB-COMMITTEE OF THE U.N. COMMITTEE OF THE PEACEFUL USES OF OUTER SPACE SHOULD PROVIDE THE FOCAL POINT FOR THE DEVELOPMENT OF ADDITIONAL LEGAL MEASURES TO ENSURE THE SAFETY OF HUMAN LIFE AND THE INTEGRITY OF THE ENVIRONMENT. THIS MATTER COULD BE DEALT WITH UNDER A SEPARATE AGENDA ITEM.

2. THE PRINCIPAL MATTERS WHICH, AT THIS STAGE, WILL REQUIRE EXAMINATION AND APPROPRIATE FOLLOW ON ACTION INCLUDE THE FOLLOWING:

A) NOTIFICATION

THE ELABORATION OF STRINGENT NOTIFICATION REQUIREMENTS, PLACING PRIMARY RESPONSIBILITY ON THE LAUNCHING STATE, REGARDING, INTERALIA THE FOLLOWING FIVE STAGES RELATING TO A SPACECRAFT EMPLOYING NUCLEAR POWER SOURCES;

I) ADVANCE NOTIFICATION PRIOR TO LAUNCH OF THE SPACECRAFT, INCLUDING INFORMATION

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REGARDING THE TYPE OF NUCLEAR POWER SOURCE EMPLOYED;

II) ON LAUNCH OF THE SPACECRAFT;

III) WHEN THE ORBIT OF THE SPACECRAFT HAS DECAYED TO THE EXTENT THAT THERE IS A REASONABLE POSSIBILITY THAT IT WILL RE-ENTER THE ATMOSPHERE;

IV) PRIOR TO IMPACT WHEN THERE ARE REASONABLE GROUNDS FOR BELIEVING THAT A CERTAIN STATE OR STATES MAY BE AFFECTED BY THE RE-ENTRY OF THE SPACECRAFT, BEARING IN MIND THE NEED FOR TIMELY AND SUFFICIENT INFORMATION TO ALLOW SUCH STATE OR STATES TO TAKE NECESSARY PRECAUTIONARY MEASURES; AND

V) AFTER IMPACT HAS OCCURRED.

B) EMERGENCY ASSISTANCE

THE DEVELOPMENT OF ADDITIONAL INTERNATIONAL
LEGAL MEASURES RELATING TO EMERGENCY ASSISTANCE
FOR SEARCH, RECOVERY AND CLEAN-UP OPERATIONS
WITH RESPECT TO THE RE-ENTRY OF A SPACECRAFT
WITH A NUCLEAR POWER SOURCE ON BOARD.

3. SUBSTANTIVE DISCUSSION SHOULD BEGIN IN THE LEGAL
SUB-COMMITTEE ON THOSE ASPECTS OF THE ABOVE QUESTIONS
CONCERNING NOTIFICATION AND EMERGENCY ASSISTANCE WHICH DO
NOT REQUIRE SPECIAL SCIENTIFIC AND TECHNICAL STUDY.

4. ADDITIONALLY, THE LEGAL SUB-COMMITTEE SHOULD LOOK
TOWARD THE DEVELOPMENT OF LEGAL OBLIGATIONS REFLECTING

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C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 04596

STRICT AND FULLY EFFECTIVE STANDARDS, SAFEGUARDS AND
LIMITATIONS PERTAINING TO THE USE OF NUCLEAR POWER
SOURCES IN SPACE.

5. THE SPECIAL ROLE OF THE SCIENTIFIC AND TECHNICAL
SUB-COMMITTEE IS RECOGNIZED IN PROVIDING THE SCIENTIFIC
AND TECHNICAL BASIS FOR A COMPREHENSIVE AND FULLY
EFFECTIVE INTERNATIONAL LEGAL FRAMEWORK WITH RESPECT TO
THE SAFETY ASPECTS OF NUCLEAR POWER SOURCES IN OUTER
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